

ZONING ADMINISTRATOR
NOTICE OF DECISION

Date: April 15, 2014
Applicant: Bay Bridge Brewing
Case No.: PCC-14-005
Address: 688 Marsat Court, Suite B, Chula Vista, Ca.
A.P.N.: 622-230-38
Project Planner: Jeff Steichen, Associate Planner

Notice is hereby given that on April 15, 2014, the Zoning Administrator considered Conditional Use Permit Application PCC-14-005 filed by Bay Bridge Brewing ("Applicant"), within the center located at 688 Marsat Court, Chula Vista, CA ("Project Site"). The Property is owned by Southrail Equities, LLC ("Property Owner"). The proposed Project is more specifically described below:

The Applicant requests approval to allow the establishment of a small-scale brewery. The applicant will use this location as the brewing facility and transport the beer to restaurant sites packaged in kegs, bottles or cans. The operation will be located within an existing 4,800 square-foot suite within an industrial park. A small 300 square-foot tasting room within this suite is also being requested as part of this use. In conjunction with the conditions of approval of this permit, the applicant shall be limited to a Type 23 License from the Alcoholic Beverage Control Board per section 19.44.040(G) of the Chula Vista Municipal Code.

The Development Services Director has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Class 32 Categorical Exemption pursuant to 15332 (In-Fill Development Projects) of the State CEQA Guidelines. The proposed project consists of negligible or no expansion of an existing use. Thus, no further environmental review is necessary.

The Zoning Administrator, under the provisions of Section 19.14.030 A of the CVMC, has been able to make the Conditional Use Permit findings as required by CVMC Section 19.14.080 as follows:

- 1. That the proposed use at this location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.**

The proposed project primarily involves the relocation of an existing brewery operation located at 779 Anita Street (PCC 06-055) to the proposed project site. The brewery has been in operation at its former location since 2006. The existing operation has allowed Bay Bridge Brewing to provide locally brewed beer, a product previously lacking in Chula Vista. The scope of the operation will remain the same with the exception of the addition of a small 300 square-foot tasting room. The tasting room will provide an additional service by allowing the applicant to serve and sell beer on the premises to the general public. It will also allow the public to view the brewing equipment while sampling beer from it. Bay Bridge Brewing will contribute to the well-being of the community by expanding the availability of locally produced products and providing opportunities for employment as it continues to provide a source of revenue for the City.

- 2. That such use will not under the circumstances of the particular case be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.**

This finding is met because the operation will be conducted completely indoors, in an existing building, and therefore will not disturb adjacent properties or businesses. The project site is proposed within a Limited-Industrial area and is bounded by warehouses on the east and south sides, Industrial Boulevard on the west and a power line easement to the north. The small-scale brewery is consistent with the types of uses generally found in a Limited-Industrial zone that includes but is not limited to manufacturing, wholesaling, distributing operations, bottling and packaging businesses. The small tasting room proposed is considered ancillary to the brewing operation. Hours of operation for the tasting room are primarily on evenings and weekend when other businesses in the industrial park are closed. Any use of stereo or television systems or similar devices, or any occasional live entertainment, shall be controlled so as restrict sounds from permeating beyond the boundaries of the premises. Eight parking spaces are available to the rear of the suite, which is in proportion to the rented floor space. A total of 6 parking spaces (1 space per 800 square-feet) are required for the brewing operation. A total of 6 parking spaces (1 space per 50 square-feet) are required for the tasting room operation. Because each of these operations will be conducted during different (non-overlapping) hours, only six parking spaces will be required at any one time. In addition, there is additional shared parking available in a parking lot near the front entrance and on the street in the industrial complex.

- 3. That the proposed use will comply with the regulations and conditions specified in the code for such use.**

The granting of this Conditional Use Permit is conditioned to require the Applicant and Property Owner to fulfill its conditions of approval and to comply with all applicable regulations and standards specified in the Municipal Code, and the California Building, Fire and other applicable codes, for such use. These conditions will be enforced through building plan review, inspections prior to occupancy of the use and subsequent operation of the business.

Furthermore, the conditions of this permit are approximately in proportion to the nature and extent of the impact created by the project in that the conditions imposed are directly related to, and of a nature and scope related to the size and impact of the project. They are designed to prevent undesirable impacts on the surrounding uses.

- 4. That the granting of this Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any government agency.**

This Conditional Use Permit is in compliance with the General Plan, Zoning Ordinance, and land use designations listed therein. It will not alter land use patterns of the general Plan. The General Plan designation is Industrial and is implemented by the IL (Light Industrial)

Zoning Designation which allows for a brewing operation with a Conditional Use Permit per section 19.44.040(G) of the CVMC.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves Conditional Use Permit PCC-14-005 as described above subject to the following conditions:

- I. Prior to issuance of building permits and/or the approval by the City of Chula Vista for the use of the subject property in reliance upon this approval, the Applicant shall satisfy the following requirement:**

PLANNING DIVISION

1. The Project Site shall be developed and maintained in accordance with the PCC-14-005 approved plans, as amended herein, which include site plans and floor plans on file in the Planning Division, the conditions contained herein, and the Zoning Ordinance (Title 19).
2. The Property Owner or authorized representative shall execute this document by making a true copy of this Notice of Decision and signing both this original notice and the copy on the lines provided below, said execution indicating that the Property Owner and the Applicant have each read, understood and agreed to the conditions and land use operation modifications contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document prior to submittal for building permits to the Development Services Department shall indicate the Property Owner's and Applicant's desire that the project, and the corresponding application for building permits and/or a business license, be held in abeyance without approval.

Signature of Property Owner

Date

Signature of Authorized Representative

Date

3. The Applicant shall apply for and obtain a sign permit for any required site/business identification signs from the Development Services Department in accordance with the Chula Vista Municipal Code Chapter 19.60.

BUILDING DIVISION

4. The Applicant shall apply for required building permits. Permits shall comply with applicable codes and requirements, including but not limited to the 2013 California Building Code (CBC), 2013 California Residential Code, 2013 Fire Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Electrical

Code, 2008 California Energy Code and 2013 California Green Building Standards as adopted and amended by the State of California and City of Chula Vista.

5. Applicant shall be required to obtain a Certificate of Occupancy prior to occupancy of the suite.

ENGINEERING DIVISION

6. Applicant shall be pay sewer connection and capacity fees, based on the Final Building Plans.

FIRE DEPARTMENT

7. The building street address shall be designed with lettering which is 6-inches in height with a 1-inch stroke.
8. Provide a Knox Vault in accordance with Chula Vista Fire Department Guidelines.

II. The following on-going conditions shall apply to the Project as long as it relies upon this approval.

1. Hours of operation shall be limited to the following:

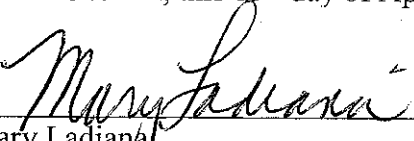
Beer Manufacturing:	Monday-Friday	6:00 a.m. to 4:00 p.m.
	Saturday/Sunday	7:00 a.m. to 1:00 p.m.
Tasting Room:	Monday-Thursday	4:00 p.m. to 10:00 p.m.
	Friday:	4:00 p.m. to 12:00 a.m.
	Saturday:	1:00 p.m. to 12:00 a.m.
	Sunday:	1:00 p.m. to 8:00 p.m.

Expansion of hours of operation shall require approval of a modification to this Conditional Use Permit by the Zoning Administrator.

2. Any use or televisions, stereos or other similar device shall not be audible beyond the exterior of the premises.
3. There shall be no dancing allowed on the premises.
4. Live entertainment on the premises shall be limited to three (3) unamplified entertainers; with the exception that one entertainer may use a microphone or other amplifying device for voice and shall be conducted completely indoors. Additional allowances for entertainment would require the Applicant to obtain a Special Events Permit from the City.

5. The business shall be operated in compliance with the Performance Standards, CVMC Chapters 19.66 and Performance Standards and Noise Control, Chapter 19.68.
6. This Conditional Use Permit authorizes only the use specified in the application for PCC-14-005. Any new use, modification or expansion of the use, or activities not authorized under this Conditional Use Permit, shall be subject to the review and approval of the Zoning Administrator.
7. This permit shall become void if not used or extended within three years of the effective date thereof in accordance with Section 19.14.260 of the Chula Vista Municipal Code. Failure to comply with the any conditions of approval shall cause this permit to be reviewed by the City for additional conditions or revocation.
8. If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. The applicant or a successor in interest gains no vested rights by the City's approval of this Conditional Use Permit.
9. The Applicant/Representative and Property Owner shall and does hereby agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Conditional Use Permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and Applicant/operator shall acknowledge their agreement to this provision by executing a copy of this Conditional Use Permit where indicated above. The Applicant/Representative and Property Owner's compliance with this provision is an express condition of this Conditional Use Permit and shall be binding on any and all of Applicant/Operator's successors and assigns.
10. Approval of this Project shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance or the approval of this Conditional Use Permit.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 15th day of April, 2014



Mary Ladiana
Zoning Administrator

cc Scott Donaghe, Principal Planner
Doug Chase/688 Marsat Court